(1) (3)

C.S. 900

IN THE HIGH COURT OF JUDICATURE AT BILASPUR [C.G.]

Writ Petition No.---3466-----/04

PETITIONER

1. Shankar Lal S/o Gokul Chand Agrawal Aged- About 44 Years,
2. Chandra Prakash S/o Gokul Chand Agrawal Aged- About 33 Years

Both are the R/O- Village- Katghora, Distt.- Korba [C.G.].

3241/04
Filed on .....
by Shri Sanjay Gupta Advocate
22-9-04
R. to A.R. (J.)

VERSUS

RESPONDENTS :

1. State Of Chhattisgarh,
   Through- Secretary,
   Revenue Department,
   DKS Bhawan, Raipur(C.G.).
2. Board of Revenue of Chhattisgarh
   Through- Chairman,
   Bilaspur [C.G.]
3. Collector of Stamp, Korba
   Distt.- Korba [C.G.]
4. Sub Registrar (registration),
   Karghora, Distt.- Korba [C.G.].

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P.No. 3466/04

मामला क्रमांक ..... **सन्** 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

06-01-2005

Shri Sanjay Patel, counsel for the petitioners.

Shri Satish Verma, Panel Lawyer takes notice for respondents No. 1 to 3.

The petitioner by this petition has challenged the impugned order passed by respondent No. 2 which is Annexure P-2 to this petition. By the said order, the order of Collector of stamps dated 21-04-2003 (Annexure P-1) has been confirmed by which petitioner has been directed to pay an additional stamp duty of 1,09,238/- on a deed of relinquishment in favor of the petitioner.

Counsel for the petitioner submits that the impugned order is bad as the same is passed without ~~followed by~~ following the guidelines prescribed by the Rule 5 of the Indian Stamps (M.P. Prevention of under valuation of instruments) Rules.

Since counsel for the State has taken notice on behalf of Respondents No. 1 to 3, no notice is necessary to be issued to them. Issue notice to respondent no. 4 on payment of P.F. within three days.

Meanwhile, it is directed that in case of petitioner paying 50% of stamp duty, remainder shall remain stayed till the final disposal of the petition.

Sd/-
DHIRENDRA MISHRA
Judge

GRPRJ—FS/78 —9/200(—50,000.